

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:13-cv-00343-FDW**

JOHN EDWARD KUPLEN,)
)
 Plaintiff,)
)
 vs.)
)
 U.S. DEPARTMENT OF)
 JUSTICE, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion for Relief from Order FRCivP. 60(b)(6).” [Doc. 61].

For the sake of economy, the Court herein incorporates by reference its previous Orders in this case at Docket Nos. 54, 56, and 60. Pro se Plaintiff John Edward Kuplen (“Plaintiff”) claims that, as of November 13, 2021, he was still owed \$12.17 in overpayment of his filing fee in this matter and asks the Court for relief from the Clerk’s Order [Doc. 6] directing monthly payments from Plaintiff’s prisoner trust account. [Doc. 4]. Plaintiff also requests that the Court order he be reimbursed in the amount of \$6.05 for postage in this matter. [*Id.* at 4]. The Court will deny Plaintiff’s motion, including Plaintiff’s request for postage and any other relief sought by Plaintiff.

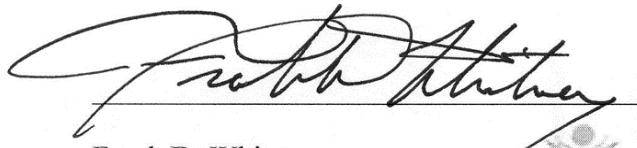
The Court has carefully reviewed its records of Plaintiff’s payment of the filing fee in this matter. These records show that Plaintiff has now been reimbursed for the full amount of overpayment received by the Clerk’s Financial Department, that is, for \$21.55. The records also show that the Clerk has not received any payments in this matter since November 4, 2021. As such, it appears that the North Carolina Department of Public Safety (NCDPS) is no longer deducting filing fees in this matter. The Plaintiff is advised that any further dispute Plaintiff might

have regarding the overpayment of fees in this matter lies with the NCDPS. The Court has refunded all overpayments in its possession to Plaintiff.

IT IS, THEREFORE, ORDERED that Plaintiff's motion [Doc. 61] is **DENIED**.

The Clerk is respectfully instructed to update the docket in this matter to reflect that the Caledonia Correctional Institution has been renamed Roanoke River Correctional Institution.

Signed: January 12, 2022


Frank D. Whitney
United States District Judge

